

3.

O.C.G.A. § 17-10-30(b)(7): The murder of Sue Ann Ray was so outrageously or wantonly vile, horrible or inhuman in that it involved torture and depravity of mind.

**WHEREFORE**, the State prays as follows:

- a. That the trial judge determine the above Statutory Aggravating Circumstances to be warranted by the evidence;
- b. That pursuant to O.C.G.A. § 17-10-30(c), the above Statutory Aggravating Circumstances as well as any other Statutory Aggravating Circumstances which may be supported by the evidence upon the trial of this case and that those be given in charge and in writing to the jury for its consideration;
- c. That the jury, if its verdict is a recommendation of death be instructed to designate, in writing, signed by the foreperson of the jury, the aggravating circumstance or circumstances which it finds beyond a reasonable doubt.

**SO NOTICED AND MOVED**, this the 31st, day of March, 2006.



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